

REMARKS

Claims 47 and 49 were rejected as anticipated by WEIL 5,617,900 and claim 48 was rejected as unpatentable over WEIL in view of ROCKNEY et al. 5,660,899. Reconsideration and withdrawal of the rejections are respectfully requested.

The claims include a tubular substrate that is elastically deformable between an original relaxed configuration and an expanded configuration in which a length or radius of the substrate is larger than in the relaxed configuration. The exterior surface of the substrate has recesses therein. Note that the substrate expands from the relaxed configuration. The claims also include a foil that is fixed to the substrate and has plural indentations that correspond to the recesses when the substrate is in the relaxed configuration. The indentations disappear when the substrate is elastically deformed from the original relaxed configuration to the expanded configuration.

WEIL is opposite the invention of claim 47 and does not anticipate claims 47 and 49. As explained at column 2, lines 61-65 and column 3, lines 28-36, WEIL discloses a tubular substrate that is elastically deformable between an original relaxed configuration and a contracted configuration in which a length or radius of the substrate is smaller than in the relaxed configuration. The exterior surface of the substrate has

recesses therein only in the contracted configuration. Note that the substrate contracts, rather than expands, from the relaxed configuration. WEIL also discloses a foil that is fixed to the substrate and has plural indentations that correspond to the recesses when the substrate is in the contracted configuration, not the relaxed configuration as claimed in claim 48. The indentations disappear when the substrate is restored from contracted configuration to the original relaxed configuration.

The contracted configuration of WEIL does not correspond to the original relaxed configuration claimed herein, because the contracted configuration in WEIL is neither "original" nor "relaxed"; it is a temporary configuration from which the substrate automatically "springs" back to its larger original relaxed configuration (column 2, lines 63-64). The term "relaxed" must be given its normal meaning within the context of the present application. As is apparent, the term "relaxed" refers to the position of the substrate when no forces are applied. When "relaxed" is given its normal meaning, one of skill in the art would recognize that WEIL discloses a different invention that does not anticipate the invention of claim 47.

By way of further explanation, WEIL discloses a sheath that can be contracted from the original relaxed configuration, but not a sheath that can be expanded from the original relaxed

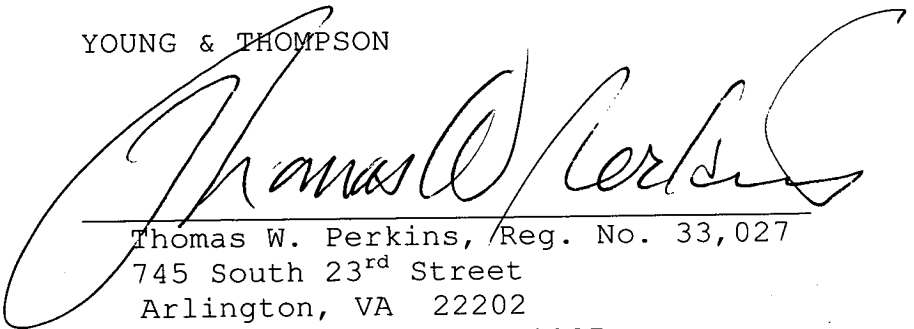
configuration. The indentations in the foil disappear when the sheath is in the original relaxed configuration and thus the sheath cannot expand further.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A large, stylized handwritten signature in black ink, appearing to read 'Thomas W. Perkins', is written over a horizontal line.

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